

Exhibit A

to Hawkins Declaration

In Support of Motion for Sanctions
Against TSI Concerning Employee A

Seaman et al. v. Nat'l Collegiate Student Loan Trust 2007-2 et al., No. 18-CV-1781

Bifulco et al. v. Nat'l Collegiate Student Loan Trust 2004-2 et al., No. 18-CV-7692

May 15, 2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MUTINTA MICHELO, KATHERINE SEAMAN, and
MARY RE SEAMAN, individually and on
Behalf of all others similarly situated,

Plaintiff,

Index no. 18-cv-1781 (PGG)

v.

NATIONAL COLLEGIATE STUDENT LOAN TRUST
2007-2; NATIONAL COLLEGIATE STUDENT LOAN
TRUST 2007-3; TRANSWORLD SYSTEMS, INC.,
in its own right and as successor to NCO
FINANCIAL SYSTEMS, INC.; EGS FINANCIAL
CARE INC., formerly known as NCO
FINANCIAL SYSTEMS, INC.; and
FORSTER & GARBUS LLP,

Defendants.

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CHRISTINA BIFULCO, JAELYSABEL VILLASANTE,
and CORI FRAUENHOFER, individually and on
Behalf of all others similarly situated,

Plaintiffs,

Index no. 18-cv-7692 (PGG)

v.

NATIONAL COLLEGIATE STUDENT LOAN TRUST
2004-2; NATIONAL COLLEGIATE STUDENT LOAN
TRUST 2006-4; TRANSWORLD SYSTEMS, INC.,
in its own right and as successor to NCO
FINANCIAL SYSTEMS, INC; EGS FINANCIAL
CARE INC., formerly known as NCO
FINANCIAL SYSTEMS, INC.; and
FORSTER & GARBUS LLP,

Defendants.

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DEPOSITION OF CHANDRA ALPHABET
May 15, 2021

May 15, 2021

1 C. Alphabet
2 would they -- would you get them in
3 electronic copy and then print them out or
4 did they come to you in paper copy, how did
5 that work?

6 A. Honestly, I don't remember. I'm
7 trying to think. It's a long time. I really
8 don't remember.

9 Q. Okay. I have to pause one quick
10 second. I don't think that we need to take a
11 break, it's just something -- it's my
12 doorbell or something, I'll be right back.

13 THE COURT REPORTER: We'll go off
14 the record.

15 (Off-the-record discussion was
16 held.)

17 BY MR. HAWKINS:

18 Q. I'd like you to look at Paragraph 3
19 of the affidavit that we have as Plaintiff's
20 386.

21 Do you need me to zoom in on it,
22 Ms. Alphabet?

23 A. No, I could read it.

24 Q. Okay. I'd like to focus on this
25 first sentence, this lawsuit arose out of an

1 C. Alphabet

2 unpaid loan or loans owed by defendant, Cori
3 Frauenhofer to plaintiff.

4 Do you see that the first line in
5 Paragraph 3?

6 A. I do.

7 Q. Who is the plaintiff that line
8 refers to?

9 A. Cori, and it says Frauenhofer.

10 You said the defendant or the
11 plaintiff?

12 Q. I said the plaintiff.

13 A. Oh, I'm sorry. The plaintiff.

14 Okay. So, the plaintiff's name is not in
15 Paragraph 3, 'cause you asked me to look at
16 Paragraph 3.

17 Q. Okay. Do you know who the
18 plaintiff is in this case?

19 A. I would assume it's National
20 Collegiate, because I'm looking at the top of
21 it.

22 Q. Okay. How did you know that Cori
23 Frauenhofer owed anything to National
24 Collegiate?

25 MR. SCHULTZ: Object to the form.

1 C. Alphabet

2 Also mischaracterizes prior testimony.

3 A. I don't know personally. I just
4 know the documents that were -- that was put
5 before me.

6 Q. Okay.

7 A. And apparently NCO TSI purchased --
8 purchased those accounts and those are the
9 accounts that was presented to us, the note
10 showing where the defendant had signed his
11 name on the note.

12 Q. Okay. Is there -- is there
13 reference in this affidavit to the note that
14 you're referring to?

15 MR. SCHULTZ: I'm just going to
16 object to the form of the question to
17 the extent the witness said she
18 doesn't really recall seeing this and
19 you haven't really given her a chance
20 now to read the whole thing.

21 MR. HAWKINS: I'm not rushing her.

22 MR. SCHULTZ: I know, I'm just
23 saying that I think Chandra needs to
24 know if she needs to read the whole
25 thing over to refresh her memory about

1 C. Alphabet

2 people I don't have contact with at the time.

3 Q. And what about an individual named
4 Anthony Albanese?

5 A. Pardon me?

6 Q. Anthony Albanese.

7 A. Never heard of him.

8 Q. Have you had contact with anybody
9 at TSI NCO since you left employment there?

10 A. No.

11 Q. Okay.

12 MR. HAWKINS: Plaintiffs have no
13 further questions at this time.

14 MR. SCHULTZ: Chandra, I hate to
15 do this to you, but I do just have a
16 couple of follow-up questions.

17 THE WITNESS: Okay.

18 EXAMINATION BY

19 MR. SCHULTZ:

20 Q. I just want to clarify. I thought
21 I heard you testify earlier that TSI NCO or
22 Transworld Systems had purchased the National
23 Collegiate College Departments, did you
24 testify to that?

25 A. That was my understanding.

1 C. Alphabet

2 Q. Okay. So, your understanding today
3 is that you think that NCO or TSI had
4 purchased -- were the owner or the purchaser
5 of the accounts?

6 A. Yes.

7 Q. And why do you think that that was
8 or what's the basis for your understanding of
9 that?

10 A. I would say the basis -- because I
11 know in collections, most of the time you
12 only collect on the accounts that you
13 purchase and I just -- I just don't remember
14 everything about it, but I just kind of
15 remember them saying or maybe a co-worker
16 saying, you know, hey, there's an account
17 that we own. And I remember there being
18 other -- other accounts as well other than
19 this.

20 Q. Okay. So, is it your understanding
21 that TSI's role wasn't just as a servicer for
22 the accounts?

23 A. Honestly, I don't -- I don't
24 remember.

25 Q. So, you don't really know that TSI